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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,619	06/29/2001	Amy R. Griffin	M4065.0467/P467	4918
24998	7590	10/22/2003	EXAMINER	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP 2101 L STREET NW WASHINGTON, DC 20037-1526				FOX, CHARLES A
ART UNIT		PAPER NUMBER		
3652				

DATE MAILED: 10/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/893,619	GRiffin, AMY R. <i>SW</i>
	<b>Examiner</b>	<b>Art Unit</b>
	Charles A. Fox	3652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 14 July 2003.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-4,7-13,17-28,31-35 and 39-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-4,7-13,17-28,31-35 and 39-46 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 03 January 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a)  The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the second slide mechanism and the forth section must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 12 and 24 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a second slide mechanism and a forth section, does not reasonably provide enablement for any structural limitations for those items. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make the invention commensurate in scope with these claims. Without providing any structural description or drawings of the second sliding mechanism or the forth section there is no way to determine the scope of claims 12 and 24. As no structural limitations for claims 12 and 24 have been disclosed and the scope of the claim is indeterminate at this time claims 12 and 24 have not been treated on the merits.

Claim 35 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The input shaft of the instant invention is disclosed as being turned manually. As such the claim as amended is not enabled for assisting the turning of the input shaft with gas cylinders. In the rejection of claim 35 below the examiner treats the limitation of using the gas cylinder as if it were used to help lift or lower the first section in conjunction with the jackscrews.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,8-10,11,25,32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beach in view of Bressler et al. In regards to claims 1 and 25 Beach US 2,931,519 teaches an apparatus for positioning an object comprising:

a first section (10) having a lifting mechanism (12) capable of movement in a vertical direction;

a second section (11) disposed over said lifting mechanism (12) and capable of moving with said lifting mechanism, said second section having a first sliding

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mechanism, said first sliding mechanism comprising a block (111) and a lead screw (110) for moving said block; and

a third section (13) disposed over said sliding mechanism and attached to said block, capable of moving in response to said lifting and sliding mechanisms, wherein said third section has a surface (a) for supporting an object. Beach does not teach the slide mechanism as having rails and slider blocks. Bressler et al. US 6,136,375 teaches a linear slide assembly comprising :

a first section (22) with a pair of guide rails (24);

a second section (32) with guide blocks (30);

wherein said guide blocks engage said rails;

a lead screw actuator (64) for moving the second section relative to the first section in a direction parallel with said guide rails. It would have been obvious to one of ordinary skill in the art, at the time of invention to provide the device taught by Beach with the guide rails and blocks taught by Bressler et al. in order to keep the first and second sections in alignment at all times while allowing for linear adjustments as needed.

In regards to claims 8 and 9 Beach further teaches that the lifting section comprises hydraulic cylinders (75) and a source of pressurized hydraulic fluid (96).

In regards to claims 10 and 11 Beach also teaches the apparatus as having wheels (18) that allow the apparatus to move in a horizontal direction that is perpendicular to said first horizontal travel direction of said third section, and that wheels further comprise a clearance between said first section and an underlying

surface, whereby said apparatus can clear obstacles when moving in any horizontal direction.

In regards to claims 32 and 33 Beach further teaches that the lifting section comprises hydraulic cylinders (75) and a source of pressurized hydraulic fluid (96).

Claims 2-4,7,26-28 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beach in view of Bressler et al. as applied to claims 1 and 25 above, and further in view of Mills et al. Beach and Bressler et al. teach the limitations of claims 1 and 25 as above, they does not teach using a jack screw or a pneumatic device as a lifting means. Mills et al. US 4,461,455 teaches a device for lifting aircraft engines wherein a first lift assembly is a series of jack screws (64) and a second lift assembly is a series of pneumatic lifts (54,120) wherein the two lift assemblies work in tandem to raise the load to its proper position, Mills also teaches providing a pressurized gas source for pneumatic lifting assemblies (54,120).

It would have been obvious to one of ordinary skill in the art, at the time of invention to provide the lift assemblies taught by Mills et al. in the device taught by Beach in order to allow the apparatus to align the object being lifted with its intended receiver in a manner that minimizes the chance of damage to the object while it is being mounted.

Claims 13,17,19,20-23 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beach in view of Mills et al. and further in view of Nemoto. In regards to 13,17, 19 and 34 Beach teaches an apparatus for positioning an object comprising:

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a base section (10) having a lifting mechanism (12) capable of movement in a vertical direction;

a first section (11) disposed over said lifting mechanism (12) and capable of moving with said lifting mechanism, said second section having a first sliding mechanism, said first sliding mechanism comprising a block (111) and a lead screw (110) for moving said block; and

a second section (13) disposed over said sliding mechanism and attached to said block, capable of moving in response to said lifting and sliding mechanisms, wherein said second section has a surface (a) for supporting an object. Beach does not teach the lifting mechanism being a combination of a manual jack screw and a pneumatic lift device. Mills et al. US 4,461,455 teaches a device for lifting aircraft engines wherein a first lift assembly is a series of jack screws (64) and a second lift assembly is a series of pneumatic lifts (54,120) wherein the two lift assemblies work in tandem to raise the load to its proper position, Mills also teaches providing a pressurized gas source for pneumatic lifting assemblies (54,120). Mills et al. do not teach the jackscrews as being manually actuated. Nemoto US 6,271,657 teaches a lifting device (30) for a semiconductor test head wherein a screw (11) is manually turned by crank (31) to cause the device to lift an object placed upon it.

It would have been obvious to one of ordinary skill in the art, at the time of invention to provide the device taught by Beach with the lift assemblies taught by Mills et al. and to operate them manually as taught by Nemoto in order to allow the apparatus

to align the object being lifted with its intended receiver in a manner that minimizes the chance of damage to the object while it is being mounted.

In regards to claims 20 and 21 Beach further teaches that the lifting section comprises hydraulic cylinders (75) and a source of pressurized hydraulic fluid (96).

In regards to claims 22 and 23 Beach further disclose the apparatus as having wheels (18) that allow the apparatus to move in a horizontal direction that is perpendicular to said first horizontal travel direction of said third section, and that wheels further comprise a clearance between said first section and an underlying surface, whereby said apparatus can clear obstacles when moving in any horizontal direction.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beach, Mills et al. and Nemoto as applied to claim 17 above, and further in view of Bressler et al. Beach, Mills et al. and Nemoto teach the limitations of claim 17 as above they do not teach the slide mechanism as having guide rails and guide blocks.

Bressler et al. teaches a linear slide assembly comprising :

- a first section (22) with a pair of guide rails (24);
- a second section (32) with guide blocks (30);
- wherein said guide blocks engage said rails;
- a lead screw actuator (64) for moving the second section relative to the first section in a direction parallel with said guide rails. It would have been obvious to one of ordinary skill in the art, at the time of invention to provide the device taught by Beach, Mills et al. and Nemoto with the guide rails and blocks taught by Bressler et al. in order

to keep the first and second sections in alignment at all times while allowing for linear adjustments as needed.

Claims 35,39,40,41,44, and45 are rejected under 35 U.S.C. 103(a) by Beach in view of Nemoto. In regards to claims 35,41,42 and 44 Beach US 2,931,519 discloses the method of positioning an object, comprising the steps of:

providing a table having a base section (14), a middle section and a support section (60) adapted to move vertically and horizontally;

placing an object (L) on said support section;

moving said table to a desired destination for said object;

operating a provided lift mechanism to move said support section vertically;

operating a provided slide mechanism to move said support section horizontally;

supplying a pressurized gas to pneumatic lift cylinders (120) to raise said load in conjunction with a set of jackscrews;

said object being positioned in a desired location by said moving and operational steps.

Beach does not teach the lift mechanism as being manually operated. Nemoto US 6,271,657 teaches an apparatus for positioning test heads where the step of actuating a lift mechanism comprises manually rotating an input shaft attached to the jacking mechanisms. It would have been obvious to one of ordinary skill in the art, at the time of invention to modify the methods of moving an object taught by Beach with the manual input steps taught by Nemoto in order to allow the apparatus to operate

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independently of any power source, thereby allowing the apparatus to work where no immediate power source is available.

In regards to claims 39 and 45 Beach further discloses the steps of operating the slide mechanism comprises manually rotating a shaft attached to a lead screw.

In regards to claims 40 and 46 Beach further discloses the step of moving the table comprises rolling said table utilizing wheels (18).

Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beach in view of Nemoto as applied to claim 41 above, and further in view of Shiiba et al. Beach in view of Nemoto teach the limitations of claim 41 as above, they do not teach the lift mechanism as being pneumatically actuated. Shiiba et al. US \$,643,630 teaches a lift device whose operation comprises the step of supplying a pressurized gas to a gas cylinder assembly. It would have been obvious to one of ordinary skill in the art, at the time of invention to modify the step of operating the lift mechanism taught by Beach in view of Nemoto by providing gas to the actuation system as taught by Shiiba et al. in order to make use of a readily available source of power that requires no special knowledge to tap into and use.

***Response to Amendment***

The amendments filed on July 14, 2003 have been entered into the record.

***Response to Arguments***

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. Applicant's argument against the structure of the Beach reference as presented in the arguments for claim 41 is not

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persuasive. Beach teaches a base frame section (14) corresponding to applicants base frame section (20), a middle frame section (60) corresponding to applicants middle frame (30) and an upper frame section (A) upon which the item being moved is placed corresponding to applicants upper frame section (40). Thus the sections of the instant application have the same sections as presented in claim 41.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles A. Fox whose telephone number is 703-605-4294. The examiner can normally be reached between 7:00-5:00 Monday-Thursday .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached at 703-308-3248. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

CAF  
CAF  
10-15-03

  
DEAN J. KRAMER 10-20-03  
PRIMARY EXAMINER